

REMARKS

The application has been reviewed in light of the Office Action dated July 15, 2004. Claims 1-23 are pending, with claims 1, 8, 15 and 23 being in independent form. By this Amendment, claims 22 and 23 have been amended to place the claims in better form for examination.

The drawings were objected to as having informalities.

The Office Action indicates that new corrected drawings are required for Fig. 7B and Fig. 14.

Replacement sheets of corrected drawings for FIG. 7B and FIG. 14 are attached hereto as

Exhibit A.

Withdrawal of the objection to the drawings is respectfully requested.

The specification was objected to as having informalities.

By this Amendment, the specification has been amended to correct the formal matters noted in the Office Action.

Withdrawal of the objection to the disclosure is respectfully requested.

Claim 23 was objected to as having informalities. Claim 22 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

By this Amendment, claims 22 and 23 have been amended to correct the formal matter noted in the Office Action.

Withdrawal of the objection to claim 23 and withdrawal of the rejection under 35 U.S.C. §112, second paragraph are respectfully requested.

Claim 23 was rejected under 35 U.S.C. §102(b) as purportedly anticipated by U.S. Patent No. 5,758,077 to Danahy et al. Claims 1, 8 and 15 were rejected under 35 U.S.C. §103(a) as

purportedly unpatentable over U.S. Patent No. 6,654,453 to Malik in view of Danahy. Claims 2, 4-7, 9, 11-14, 16 and 18-21 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Malik in view of Danahy and further in view of U.S. Patent No. 6,618,478 to Stuckman.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that claims 1, 8, 15 and 23 are patentable over the cited art, for at least the following reasons.

This application relates to use by a communications terminal of communications service provided by a service provider. An abundance and variety of communications services provided by service providers are presently available to users of communication terminals. However, many of the communications services require corresponding setting of conditions which are suitable to that communications service, which may be different from conditions suitable for other similar (or divergent) communications services. In any event, in order to obtain the benefit of a desired communications service on a communication terminal, the communications terminal must be set to conditions suitable to the desired communications service.

The application describes improvements to a communications terminal and features thereof which enable a user to readily set the communications terminal to obtain the benefit of available communications services. According to the claimed invention, service information, including (i) availability information representing availability of a specific communications service provided by a service provider through a telephone line and/or a local area network and (ii) condition information (also referred to as "pertinent information" in the specification) indicating conditions suitable for the specific communications service, are provided and stored on the communications terminal. The communications terminal is also provided with means for detecting whether the service information is appropriate each time the communications terminal

starts a call connection operation to use the specific communications service based on the condition information. If it is determined that the stored service information (including condition information) is inappropriate, a message indicating that the specific communications service is not usable is provided to the user.

Danahy, as understood by Applicant, is directed to a service monitor for a distributed computer system (for example, a client-server system). The computer system includes plural host computers which act as servers, and one of the host computers serves as service monitor. The monitor periodically interrogates each host computer to determine the status of the corresponding service of the host computer, and provides information to a user regarding the status of services available on the computer system. For example, the information may be that the service is functional, non-functional or partially functional.

Although the service monitor of Danahy records service status information, Applicant does not find disclosure or suggestion in Danahy of a communication terminal which (1) stores service information, including condition information indicating conditions suitable for the respective communication services, and (2) detects upon initiation of a call connection operation seeking to use a selected communication service, whether the selected communication service is suitable in relation to the stored condition information, as provided by the claimed invention.

Malik, as understood by Applicant, is directed to techniques for minimizing database structure overhead associated with providing intelligent telecommunications network services through a network of computers that run alongside the core telecommunications elements (i.e. switching and transmission equipment) to control all of the activities on the network. Malik discloses a system for using databases in providing a telecommunications service to a subscriber in the intelligent network, including a seed database storing information regarding availability of

the service to the subscriber.

Although Malik discloses a service provider system which stores information regarding availability of the service to a subscriber, Malik, like Danahy, does no disclose or suggest a communication terminal which a user can use to obtain the benefit of a communications service provided by a service provider through a telephone line and/or a local area network, and which (1) stores service information, including condition information indicating conditions suitable for the respective communication services, (2) detects upon initiation of a call connection operation seeking to use a selected communication service, whether the selected communication service is suitable in relation to the stored condition information, and (3) if it is determined that the selected communication service is not suitable in relation to the stored condition information, indicating to the user that the selected communication service is not usable, as provided by the claimed invention.

Stuckman, as understood by Applicant, is directed to a telephone set having a help key. Stuckman was cited in the Office Action as purportedly disclosing a memory for storing help information associated with a telephone service.

Applicants do not find disclosure or suggestion in the cited art, however, of a communication terminal which (1) stores service information, including condition information indicating conditions suitable for the respective communication services, (2) detects upon initiation of a call connection operation seeking to use a selected communication service, whether the selected communication service is suitable in relation to the stored condition information, and (3) if it is determined that the selected communication service is not suitable in relation to the stored condition information, indicating to the user that the selected communication service is not usable, as provided by the claimed invention.

Since the cited art does not disclose or suggest each and every feature of the claimed invention, the cited art does not render the claimed invention unpatentable.

The Office Action indicates that claims 3, 10 and 17 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, since independent claims 1, 8, 15 and 23 are submitted to be patentable over the cited art, no changes to the form of claims 3, 10 and 17 are believed to be necessary.

In view of the amendments and remarks above, Applicant submits that this application is in condition for allowance.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition.

The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,



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